

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
ERIE

JONATHAN A. BORDEN and  
AMY P. BORDEN,

## Plaintiffs

**VS.**

AMICA MUTUAL INSURANCE  
COMPANY

Defendant.

CIVIL ACTION NO.: 04-175 - E

**MOTION FOR EXTENSION OF TIME TO FILE PRETRIAL STATEMENTS**

AND NOW, comes the Defendant, AMICA MUTUAL INSURANCE COMPANY, by and through its attorneys, DiBELLA, GEER, McALLISTER & BEST, P.C., and PAUL K. GEER, ESQUIRE, and files the following Motion for Extension of Time to File Pretrial Statements.

1. Both parties Pretrial Statements are due on October 31, 2005.
2. Defendant's counsel's father became gravely ill on October 27, 2005.
3. Defendant's counsel, Paul K. Geer, was unable to complete the Defendant's Pretrial Statement prior to being called away to be with his father.
4. His father, Thomas P. Geer, passed away on Friday, October 28, 2005.

5. Defendant's counsel will not be returning to the office until Wednesday, November 9, 2005, and therefore, requests a 10 day extension of time to complete the Pretrial Statement.

6. Counsel for the Defendant has conferred with counsel for the Plaintiffs who consent to granting a 10 day extension of time to both parties for the filing of their respective Pretrial Statements.

WHEREFORE, the Defendant respectfully request an extension of time to file the Pretrial Statements until November 11, 2005.

Respectfully submitted,

DiBELLA, GEER, McALLISTER & BEST, P.C.

By: /s/Paul K. Geer  
Paul K. Geer, Esquire  
Attorney for Amica Mutual  
Insurance Company

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## ORDER OF COURT

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2005, upon consideration of the within Motion for Extension of Time to File Pretrial Statements, it is hereby ORDERED that said motion is granted and Pretrial Statements will be due on November 11, 2005.

BY THE COURT:

\_\_\_\_\_ J.